

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

AMBER MARIE KETCHERSID,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,

Defendant.

NO: 13-CV-5027-TOR

ORDER GRANTING STIPULATED  
MOTION FOR REMAND

BEFORE THE COURT is the parties' Stipulated Motion for Remand (ECF No. 17). Pursuant to the parties' stipulation the motion is **GRANTED**. This case is hereby **REVERSED** and **REMANDED** to the Commissioner of Social Security for a *de novo* hearing and further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) shall evaluate Plaintiff's mental impairments pursuant to the special technique in 416.920a, and in doing so, address the medical opinion of consultant R. Renee Eisenhauer, Ph.D., approving Plaintiff for GAX Medicaid based on Listing 12.08

(Exhibit 1F, pages 29-30; Tr. 223-334); two 2009 evaluations from Jan M. Kouzes, Ed.D., indicating Plaintiff has marked to severe mental limitations (Exhibit 1F, pages 17-20 and 23-26; Tr. 211-214, 217-220); and the “other” source opinion from Lyn Smith, M.Ed., indicating marked to severe mental limitations (Exhibit 1F, pages 10-13; Tr. 204-207).

In addition, the ALJ shall determine whether Plaintiff is under a disability taking into consideration all of the impairments, including the drug addiction and/or alcoholism, following the sequential evaluation process outlined in 20 C.F.R. § 416.920. If Plaintiff is found disabled, the ALJ will determine whether drug addiction and/or alcoholism is material to the determination of disability (20 C.F.R. § 416.935 and Social Security Ruling 13-2p).

Upon being presented with a proper request, the Court will consider an application for reasonable attorney fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

**IT IS SO ORDERED.**

The District Court Executive is hereby directed to enter this Order, provide copies to counsel, enter **JUDGMENT** for Plaintiff, and **CLOSE** the file.

**DATED** November 27, 2013.



*Thomas O. Rice*

THOMAS O. RICE

United States District Judge